

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 030877PC	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">FOR FURTHER ACTION</div> <div>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</div> </div>
International application No. PCT/AU2004/001463	<div style="display: flex; justify-content: space-between;"> <div>International filing date (day/month/year) 22 October 2004</div> <div>(Earliest) Priority Date (day/month/year) 22 October 2003</div> </div>
Applicant DIGGA AUSTRALIA PTY LTD et al	

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished
2. ☐ Certain claims were found unsearchable (See Box I).
3. ☒ Unity of invention is lacking (See Box II).
4. With regard to the title,

☒ the text is approved as submitted by the applicant.
☐ the text has been established by this Authority to read as follows:
5. With regard to the abstract,

☐ the text is approved as submitted by the applicant
☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. The figure of the drawings to be published with the abstract is Figure No. 1

☒ as suggested by the applicant.
☐ because the applicant failed to suggest a figure
☐ because this figure better characterizes the invention

☐ None of the figures

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International application No.
PCT/AU2004/001463**Box I** Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos :
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos :
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos :
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. Claims 1-7 are directed to a support structure for a tool. It is considered that "the self monitoring and operating dampening means for controlling the pendulation of the tool on the pendulum pivot with respect to the boom or arm" comprises a first "special technical feature".
2. Claim 8 is directed to a method of dampening. It is considered that the step of adapting the rotary hydraulic actuator to provide varying rotary resistance comprises a second special technical feature.
1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-7

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

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Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

A support structure for a tool comprising a boom or arm for supporting the tool, a pendulum pivot (1,2) supporting the tool with respect to the boom or arm in a manner which allows the tool to pendulate and self monitoring and operating dampening means (3) for controlling the pendulation of the tool on the pendulum pivot with respect to the boom or arm.

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A. CLASSIFICATION OF SUBJECT MATTER												
Int. Cl. ⁷ : E02F 5/16, 5/20, 9/24, F16F 11/00, 15/00, 15/023, 15/027, A01B 61/04												
According to International Patent Classification (IPC) or to both national classification and IPC												
B. FIELDS SEARCHED												
Minimum documentation searched (classification system followed by classification symbols)												
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched												
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) Dwpi: E02F, F16F, E21B, E21C, A01B, A01C with keywords (pend+, damp+, swing+, oscill+, resist+, impeded+, equali+, hinder+)												
C. DOCUMENTS CONSIDERED TO BE RELEVANT												
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.										
X,P	WO 2003/095750 A1 (WRIGHT) 20 November 2003 The whole document	1-7										
X	WO 2002/072964 A1 (WRIGHT) 19 September 2002 The whole document	1-7										
X	US 5507354 A (HARLEMAN) 16 August 1996 The whole document	1-7										
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex												
<p>* Special categories of cited documents:</p> <table border="0"> <tr> <td>"A" document defining the general state of the art which is not considered to be of particular relevance</td> <td>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"E" earlier application or patent but published on or after the international filing date</td> <td>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"O" document referring to an oral disclosure, use, exhibition or other means</td> <td>"&" document member of the same patent family</td> </tr> <tr> <td>"P" document published prior to the international filing date but later than the priority date claimed</td> <td></td> </tr> </table>			"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family	"P" document published prior to the international filing date but later than the priority date claimed	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention											
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone											
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art											
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family											
"P" document published prior to the international filing date but later than the priority date claimed												
Date of the actual completion of the international search 21 January 2005		Date of mailing of the international search report 28 JAN 2005										
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929		Authorized officer LEOPOLD FILIPOVIC Telephone No : (02) 6283 2105										

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2000/053522 A1 (INDEXATOR AB) 14 September 2000 The whole document	1-7
X	US 4273056 A (LOFGREN et al) 16 June 1981 The whole document	1-7
X	US 4735158 A (PAUL et al) 5 April 1988 The whole document	1-7

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Information on patent family members

International application No.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
WO	03095750				
WO	02072964	BR	0208483	EP	1387908
				US	2003183400
US	5507354				
WO	0053522	AU	36893/00	CA	2366291
		SE	9900836	EP	1175368
US	4342270	CA	1151953	FI	810488
				SE	8004686
US	4273056	CA	1108016	DE	2919962
		SE	7805797	FI	791544
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.					
END OF ANNEX					